



513022



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD

CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF:

SE-5J

JUL 01 2016

CERTIFIED MAIL**RETURN RECEIPT REQUESTED**

Advanced Medical Systems, Inc.
c/o Christopher Jones, Esq.
Calfee, Halter & Griswold LLP
1200 Huntington Center
41 South High Street
Columbus, Ohio 43215-3465

Re: Advanced Medical Systems Site
1020 London Road, Cleveland, Cuyahoga County, Ohio
Site Spill Identification Number: C56V
Confirmation of General Notice of Potential Liability

Dear Mr. Jones:

On June 15, 2016, the following oral statement was made to you over the telephone by Associate Regional Counsel Catherine Garypie and Enforcement Specialist Cheryl McIntyre:

"The United States Environmental Protection Agency has determined that the release or threat of release of hazardous substances, pollutants, or contaminants into the environment from the Advanced Medical Systems Site in Cleveland, Ohio, may present an imminent and substantial endangerment to the public health or welfare or to the environment.

EPA plans to take the following actions to address the release or threat of release of hazardous substances, pollutants or contaminants, including Cobalt-60, at the Advanced Medical Systems Site:

1. Providing emergency pumping capacity for the pumping system in order to prevent flooding of the building's basement;
2. Repairing or securing any fencing, broken windows, or other access points to the building in order to ensure Site security;
3. Restoring electricity to the Site to power the existing pump system;

4. Performing other actions necessary to secure the property that U.S. EPA may determine to be necessary to respond to recent vandalism at the property; and
5. Performing other actions to investigate contamination at the property that U.S. EPA may determine to be necessary.

These actions are authorized by the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, (also known as CERCLA). Under CERCLA, and other laws, responsible parties may be liable for all costs the government incurs in taking response action at the Site, including investigation, planning, cleanup and enforcement costs.

EPA believes you are a potentially responsible party at the Site because you own or operate the Site. Before the government takes the necessary response actions at the Site, it is offering you the opportunity to voluntarily perform or fund the work required to abate the release or threat of release from the Site. Under Section 104 of CERCLA, potentially responsible parties may be permitted to perform these actions if they can demonstrate their ability to do the work promptly and properly.

Because of the conditions described earlier, EPA believes that response activities at the Site must begin as quickly as possible. Therefore, EPA does not intend to use the special notice procedures available under Section 122(e) of CERCLA.

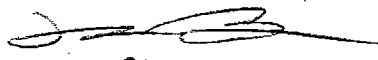
EPA intends, at the direction of its On-Scene Coordinator, to begin the above actions at 6 pm ET on June 15, 2016. You must notify EPA by 6 pm ET on June 15, 2016, if you wish to perform or fund all of the above actions, or EPA will begin to take the necessary action at the Site. Please contact Catherine Garypie, EPA Office of Regional Counsel, 77 West Jackson Boulevard, Chicago, Illinois 60604, at (312) 886-5825 and James Mitchell, On-Scene Coordinator, Superfund Division, 77 West Jackson Boulevard, Chicago, Illinois 60604, at (312) 802-1231 (cell), to provide notice or if you have any questions.

An administrative record which supports EPA's determination that these actions are appropriate can be made available for your review. Do you have any questions regarding what I have just said?"

This letter is to confirm and reiterate the above oral notice. This letter also confirms your response to the verbal notice that Advanced Medical Systems does not have the resources to perform or fund response activities. If you are a qualified small business, enclosed is a *U.S. EPA Small Business Resources Information Sheet* which may be helpful if you are subject to an EPA

enforcement action. If you have any questions concerning this matter, please contact either Catherine Garypie or James Mitchell at the address or phone number noted above.

Sincerely,


for

Samuel Borries, Chief
Emergency Response Branch 2

Enclosure



U.S. EPA Small Business Resources Information Sheet

The United States Environmental Protection Agency provides an array of resources to help small businesses understand and comply with federal and state environmental laws. In addition to helping small businesses understand their environmental obligations and improve compliance, these resources will also help such businesses find cost-effective ways to comply through pollution prevention techniques and innovative technologies.

Small Business Programs

www.epa.gov/smallbusiness

EPA's Office of Small Business Programs (OSBP) advocates and fosters opportunities for direct and indirect partnerships, contracts, and sub-agreements for small businesses and socio-economically disadvantaged businesses.

EPA's Asbestos Small Business Ombudsman

www.epa.gov/sbo or 1-800-368-5888
The EPA Asbestos and Small Business Ombudsman (ASBO) serves as a conduit for small businesses to access EPA and facilitates communications between the small business community and the Agency.

EPA's Compliance Assistance Homepage

www2.epa.gov/compliance
This page is a gateway industry and statute-specific environmental resources, from extensive web-based information to hotlines and compliance assistance specialists.

EPA's Compliance Assistance Centers

www.assistancecenters.net
EPA's Compliance Assistance Centers provide information targeted to industries with many small businesses. They were developed in partnership with industry, universities and other federal and state agencies.

Agriculture

www.epa.gov/agriculture/

Automotive Recycling

www.ecarcenter.org

Automotive Service and Repair

ccar-greenlink.org/ or 1-888-GRN-LINK

Chemical Manufacturing

www.chemalliance.org

Construction

www.cicacenter.org or 1-734-995-4911

Education

www.campuserc.org

Food Processing

www.fpeac.org

Healthcare

www.hercenter.org

Local Government

www.lgean.org

Metal Finishing

www.nmfrc.org

Paints and Coatings

www.paintcenter.org

Printing

www.pneac.org

Ports

www.portcompliance.org

Transportation

www.tercenter.org

U.S. Border Compliance and Import/Export Issues

www.bordercenter.org

EPA Hotlines, Helplines and Clearinghouses

www2.epa.gov/home/epa-hotlines

EPA sponsors many free hotlines and clearinghouses that provide convenient assistance regarding environmental requirements. Some examples are:

Clean Air Technology Center (CATC) Info-line

www.epa.gov/ttn/calc or 1-919-541-0800

Superfund, TRI, EPCRA, RMP and Oil Information Center

www.epa.gov/superfund/contacts/infocenter/index.htm or 1-800-424-9346

EPA Imported Vehicles and Engines Public Helpline

www.epa.gov/otaq/imports or 734-214-4100

National Pesticide Information Center

www.npic.orst.edu/ or 1-800-858-7378

National Response Center

Hotline to report oil and hazardous substance spills - www.nrc.uscg.mil or 1-800-424-8802

Pollution Prevention Information Clearinghouse (PPIC) -

www.epa.gov/opptintr/ppic or 1-202-566-0799

Safe Drinking Water Hotline -

www.epa.gov/drink/hotline/index.cfm or 1-800-426-4791